

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

ROBERT ROYCE BYFORD,  
Petitioner,  
v.  
WILLIAM GITTERE, *et al.*,  
Respondents.

Case No. 3:11-cv-00112-JCM-CSD

**ORDER GRANTING  
MOTION FOR EXTENSION OF TIME  
(ECF NO. 204)**

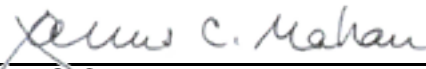
In this capital habeas corpus action, the respondents filed their answer on March 15, 2023 (ECF No. 198). After a 180-day initial period, a 179-day extension of time, and a 90-day extension of time, Petitioner Robert Royce Byford, who is represented by appointed counsel, was to file a reply by June 6, 2024. See Order entered August 27, 2021 (ECF No. 135) (180 days for reply); Order entered September 13, 2023 (ECF No. 201) (179-day extension); Order entered March 12, 2024 (ECF No. 203) (90-day extension).

On June 6, 2024, Byford filed a motion for extension of time (ECF No. 204), requesting a further 60-day extension, to August 5, 2024. Byford's counsel states that this extension of time is necessary because of the complexity of this case and because of the need to incorporate into the reply the Ninth Circuit Court of Appeals' recent decision in *McLaughlin v. Oliver*, 95 F.4th 1239 (9th Cir. 2024). Byford's counsel represents that the respondents do not oppose the motion for extension of time.

The Court finds that the motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for an extension of time. The Court will extend by 95 days—instead of the requested 60—the time for the reply. The Court does this with the expectation that it should foreclose any motion for a further extension of time for the reply.

1           **IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time  
2 (ECF No. 204) is **GRANTED**. Petitioner will have until and including **September 9,**  
3 **2024**, to file his reply to Respondents' answer. In all other respects, the schedule for  
4 further proceedings set forth in the order entered October 24, 2019 (ECF No. 88)  
5 remains in effect.

6  
7           DATED June 12, 2024.

8  
9             
10           \_\_\_\_\_  
11           JAMES C. MAHAN  
12           UNITED STATES DISTRICT JUDGE  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28